

3-10-04 Image of RCE 1634

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b> ADDRESS TO: <b>MAIL STOP RCE</b> Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	Application Number	09/751,671
	Filing Date	December 28, 2000
	First Named Inventor	David A. Zarling
	Group Art Unit	1634
	Examiner Name	Forman
Attorney Docket No.		A-68767-1/AMP/JFB

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-captioned application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application

**EXPRESS MAIL NO. EV 182094565US**

**1. Submission required under 37 C.F.R. § 1.114**

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_ (Any un-entered amendment(s) referred to above will be entered.)

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other: \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Supplemental Information Disclosure Statement (including Form PTO-1449 and References)

iv. ☐ Other: \_\_\_\_\_


**2. Miscellaneous**

a. ☐ Suspension of action on the above-captioned application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed three months; Fee under 37 C.F.R. § 1.17(i) required.)

b. ☐ Other: \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. <input checked="" type="checkbox"/>	The Fees are calculated as follows:	AMOUNT	<input type="checkbox"/> Large Entity	<input checked="" type="checkbox"/> Small Entity
i. <input checked="" type="checkbox"/>	RCE BASIC FEE	\$ 375.00	\$ 750.00	\$ 375.00
ii. <input type="checkbox"/>	EXTENSION FEES	\$	One-Month \$ 110.00	\$ 55.00
			Two-Month 420.00	210.00
			Three-Month 950.00	475.00
			Four-Month 1480.00	740.00
			Five-Month 2010.00	1005.00
iii. <input type="checkbox"/>	OTHER	\$	\$ 18.00	\$ 9.00
b. <input checked="" type="checkbox"/>	Check in the amount of \$385.00 is enclosed. The Commissioner is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to <b>Deposit Account No. 50-2319 (ORDER A-68767-1/AMP/JFB (470193-32))</b>			
c. <input type="checkbox"/>	The Commissioner is hereby authorized to charge the fees as indicated above, charge any variance or credit any overpayments, to <b>Deposit Account No. 50-2319.</b>			

SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	ANN M. CAVIANI PEASE	Registration No.	42,067
Signature		Date	3/8/04



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	David A. Zarling	Examiner:	Forman
Serial No.:	09/751,671	Group Art Unit:	1634
Filed:	December 28, 2000	Conf. No.	9120
For:	RECOMBINASE MEDIATED GENE CHIP DETECTION		

**AMENDMENT UNDER 37 C.F.R. § 1.114**

MAIL STOP RCE  
Commission for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On January 8, 2004, Applicant submitted a Notice of Appeal in the above-captioned application appealing the rejections of the claims levied in the Office Action mailed 8 July 2003. In lieu of an appeal brief, Applicant offers the following amendments and remarks responsive to the final Office Action. This Amendment is being submitted concurrently with a Request for Continued Examination under 37 C.F.R. §1.114 and the fee set forth in 37 C.F.R. §1.17(e).

Amendments to the Specification begin on page 2 of this paper.

A listing of the Claims begins on page 3 of this paper.

Remarks/Argument begin on page 5 of this paper.